

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION	:	
	:	
	:	
	:	
Plaintiff,	:	
	:	
and	:	
	:	CASE NO.: WDQ 02-CV-648
KATHY KOCH	:	
	:	
Intervenor/Plaintiff,	:	JURY DEMANDED
	:	
v.	:	
	:	
LA WEIGHT LOSS	:	
	:	
Defendant.	:	
	:	

**LA WEIGHT LOSS'S MOTION TO EXTEND DEADLINE FOR RESPONDING TO
PLAINTIFF EEOC'S MOTION TO STRIKE EXHIBITS**

Defendant, LA Weight Loss, by counsel, pursuant to Federal Rule of Civil Procedure 16(b) and L.R. 105.9 of the Local Rules of the United States District Court for the District of Maryland, respectfully requests that the deadline for filing its reply to Plaintiff EEOC's Motion to Strike Exhibits be extended from May 3, 2004, to and including May 7, 2004. Plaintiff EEOC has stated that it takes no position with respect to this Motion.

On Thursday, May 6, 2004, it came to the attention of counsel for LA Weight Loss that due to an administrative oversight, Defendant's Opposition to Plaintiff EEOC's Motion to Strike Exhibits was not filed on May 3, 2004. Upon learning of this oversight, Defendant immediately sought to correct the issue. Defendant sought consent from the EEOC to seek an extension of the deadline for responding to the Motion. Once the EEOC communicated its position to defense

counsel, Defendant made this request for a brief extension, and filed, therewith, its Opposition. All of this was done within 24 hours of learning of the oversight. A four (4) day extension to file Defendant's Opposition in no way prejudices the EEOC in this matter. However, LA Weight Loss will suffer significant prejudice if it is not given the opportunity to defend its position that the Court should consider the information contained in the affidavit at issue in the EEOC's Motion to Strike.

Accordingly, LA Weight Loss respectfully requests that its Motion be granted, and that Defendant's Opposition to Plaintiff EEOC's Motion to Strike, attached hereto as Exhibit A, be deemed timely filed as of the date of this Motion.

Respectfully submitted,

/s/

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Dated: May 7, 2004

Attorneys for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing LA WEIGHT LOSS'S MOTION TO EXTEND DEADLINE FOR RESPONDING TO PLAINTIFF EEOC'S MOTION TO STRIKE EXHIBITS was electronically filed and thereby served this 7th day of May, 2004 upon:

Ronald L. Phillips, Esquire
U.S. Equal Employment Opportunity Commission
Baltimore District Office
10 South Howard Street, 3rd Floor
Baltimore, MD 21201

Attorneys for Koch

and

Pamela White, Esq.
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Attorney for Intervenor/Plaintiff

Copies of this Motion and all attachments were also served via first-class mail, postage prepaid, upon the parties set forth above at the addresses identified above.

/ s /

David L. Gollin